



DT03 PCT/PTO 15 OCT 2004 #6

Docket No.: D0460-7011US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

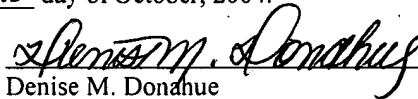
Applicant: David R. Whitlock  
Serial No: 10/501,415  
Confirmation. No.: 9899  
Filed: July 9, 2004  
For: COMPOSITIONS INCLUDING AMMONIA OXIDIZING  
BACTERIA AND METHODS OF USING SAME

Examiner: Not Yet Assigned  
Art Unit: Not Yet Assigned

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 13 day of October, 2004.

  
Denise M. Donahue

---

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

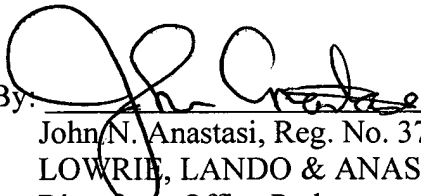
Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement, Form PTO-1449 and Cited References
- ☒ Return Receipt Postcard

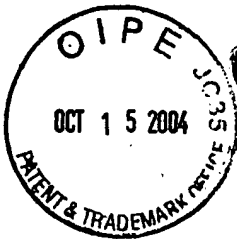
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 50/2762. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*David R. Whitlock, Applicant*

By:   
John N. Anastasi, Reg. No. 37,765  
LOWRIE, LANDO & ANASTASI, LLP  
Riverfront Office Park  
One Main Street  
Cambridge, MA 02142  
(617) 395-7000

Date: October 13, 2004



DOCKET NO: D0460-7011US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

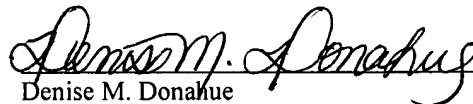
Applicant: David R. Whitlock  
Serial No: 10/501,415  
Confirmation No: 9899  
Filed: July 9, 2004  
For: COMPOSITIONS INCLUDING AMMONIA OXIDIZING  
BACTERIA AND METHODS OF USING SAME

Examiner: Not Yet Assigned  
Art Unit: Not Yet Assigned

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 13 day of October, 2004.

  
Denise M. Donahue

---

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International application, and before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

1. The above-identified U.S. application claims priority to application Serial No. PCT/US03/00995. If the Examiner has not had the benefit of review of the file history of PCT/US03/00995, then he/she is asked to contact the undersigned, who will provide a copy of same.
2. The applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
10/332,933	01-14-2003	David R. Whitlock

3. The Applicant would like to bring to the Examiner's attention the enclosed search report from a corresponding International or Foreign National Application.

**International Search Report from corresponding PCT application  
US2003/00995.**

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*David R. Whitlock, Applicant*

By: 

John N. Anastasi, Reg. No. 37,765  
LOWRIE, LANDO & ANASTASI, LLP  
Riverfront Office Park  
One Main Street  
Cambridge, Massachusetts 02142  
Tel. (617) 395-7000

Docket No. D0460-7011US  
Date: October 13, 2004



FORM PTO-1449/A and B (Modified)				APPLICATION NO.: -		ATTY. DOCKET NO.: D0460-7011US	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				FILING DATE: Herewith		CONFIRMATION NO.: Not Yet Assigned	
				APPLICANT: David R. Whitlock			
				GROUP ART UNIT: Not Yet Assigned		EXAMINER: Not Yet Assigned	
Sheet	1	of	1				

#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		5,648,101		Tawashi	07-15-1997

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		WO	98/27991		LABORATOIRES STANDA S.A.	07-02-1998	

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
		Bock et al. 'Oxidation of Inorganic Nitrogen Compounds as Energy Source'. In: The Prokaryotes. A Handbook on the Biology of Bacteria: Ecophysiology, Isolation, Identification, Applications. Edited by Balows et al. Springer-Verlag. Second Edition. 1992, Vol. I. Chapter 17, pages 414-417, especially page 417, figure 1.		

EXAMINER	DATE CONSIDERED
----------	-----------------

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.